

Remarks/Arguments

Claims 1-41 are pending in this application. Claims 11-17 and 25-29 are allowed. Claims 1-8, 18-22, 30-34, 36, 40 and 41 stand rejected. Claims 9, 10, 23, 24, 35 and 37-39 are objected to. Claims 1, 9, 10, 18, 23 and 24 have been amended. It is respectfully submitted that no new matter has been introduced into the present application by the amendments. Support for the amendments can be found at least at page 14, lines 11-21. Claims 8 and 22 have been cancelled. Reconsideration of the present patent application is respectfully requested in view of the following remarks.

Rejection Under 35 U.S.C. § 102

The Examiner rejected claims 1-8, 18-22, 30-34, 36, 40, and 41 under 35 U.S.C. § 102(b) for allegedly being anticipated by U.S. Patent No. 4,413,073 to Gibson (“Gibson”). The rejection of these claims as being anticipated by Gibson is respectfully traversed. However, it is respectfully submitted that the amendments to the claims have rendered this rejection moot for Claims 1-8, 18-22, 40 and 41. Applicants have amended Claims 1 and 10 to include the limitations of Claims 9 and 23 respectively that the Examiner indicated would be allowable if rewritten in independent form. It is respectfully submitted that the claims depending from rewritten Claims 1 and 10 are now in condition for allowance. It is also respectfully submitted that the amendment to Claim 1 has also placed Claims 40 and 41 in condition for allowance.

Applicants respectfully traverse the Section 102(b) rejection of Claims 30-34 and 36 for the following reasons. The Office Action cites column 5, line 29 through column 6, line 18 and column 2, line 27 through column 3, line 16 of Gibson as disclosing the autodeposition accelerator recited in Claims 30 and 36. It is respectfully submitted

however that the initiators and initiation systems disclosed in Gibson are solely used for initiating the polymerization reactions which lead to the formation of the aqueous dispersions disclosed in Gibson. The initiators disclosed in Gibson are not used in nor are they present in, nor does Gibson teach their use in or presence in, coating compositions as an autodeposition accelerator. Therefore the teachings of Gibson do not anticipate Claims 30-34 and 36.

Rejection Under 35 U.S.C. § 103

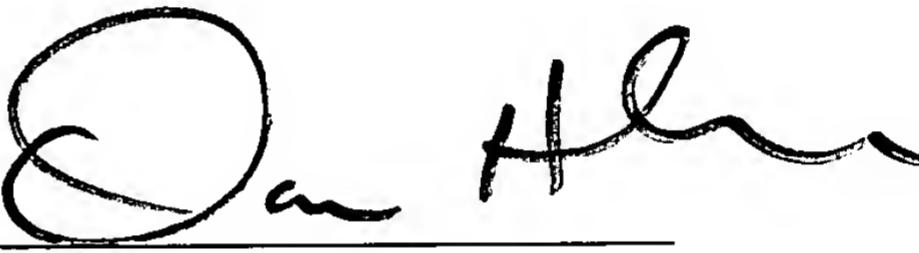
The Examiner provisionally rejected claims 1-6, 8, 18-20, 22, 30-32, 34, 36, and 38-41 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 12-15, 24-30, 37, 39, and 40 of co-pending Application No. 10/903,265 (Pub. No.: US 2005/0065242 A1). The examiner also provisionally rejected claims 7, 21, and 33 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 13, and 25 of co-pending Application No. 10/903,265 (Pub. No.: US 2005/0065242 A1) in view of Gibson or U.S. Patent No. 6,645,633 to Weller (“Weller”). These rejections are respectfully traversed. Specifically, applicants do not agree with the Examiner that the claims of the present application are obvious in view of co-pending Application No. 10/903,265 (Pub. No.: US 2005/0065242 A1) or co-pending Application No. 10/903,265 (Pub. No.: US 2005/0065242 A1) in view of Gibson or Weller. However, in order to expedite the prosecution of the present patent application, applicants have attached a terminal disclaimer to the present paper to overcome these rejections.

Reconsideration of the present application and a favorable action concerning these claims is earnestly solicited. The Examiner's recognition that the subject matter of claims 11-17 and 25-29 is allowable is appreciated.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 00155-00357). A duplicate copy of this paper is enclosed.

Dated: Sept 30, 2005

Respectfully submitted,

By 
Daniel J. Harbison
Registration No.: 47,631
CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, 19899
(302) 658-9141
(302) 658-5614 (Fax)
Attorney for Applicants